

September 12, 2018

Honorable Jesse M. Furman
U.S. District Judge

I am writing to tell you of my personal experiences with David Carlebach.

About 15 years ago I borrowed \$20,000 from a friend and told him I needed the money for a few months while I was waiting to receive a payment from a company that owed me about \$40,000. Within a month I had repaid about \$9,000 of the loan leaving a balance of \$11,000. As the months went by, the company that owed me the \$40K had an issue and cut the payment owed to me severely which unexpectedly prevented me from repaying my friend the \$11K balance.

My friend from whom I borrowed the original \$20K and I are orthodox religious Jews and such we do not charge interest on personal loans. Eventually my friend kept pestering me about the loan. He told me that if I was a real true friend, than I would convert this personal loan into a business investment loan via a special Jewish lending instrument called a "heter iska" which would allow me to begin paying interest on the outstanding \$11K.

I was quite embarrassed at not being able to repay the loan and agreed to convert my loan to a "heter iska" and the rate of interest would approximately run at around 7% annually.

~~now be able to have interest collected upon them since they were being used as an investment~~
vehicle in my business (even though they weren't actually being used as an investment whatsoever).

I immediately then handed back all \$11,000.00 dollars to my friend at the same that time that I signed these new "heter iska" contracts and then learned that this process we just performed now made it that I "technically" owed him money for as if he invested them into my business (which he didn't) and now would require payments of interest.

I discovered in short order that the actual amount of interest being collected and required from me was closer to 40% per year and that before I knew what was happening he was suing me in civil court and lumped on all sorts of legal costs and fees and eventually over several years of arguing about this deception, he claimed I owed him over \$47,000.00 and alleged fraud too. I was totally dumbfounded by this matter. I was now being ruined and devastated by my "alleged friend".

I happened to have bumped into David Carlebach whom I only knew in passing and knowing he was an attorney I asked him a few questions about this matter. After he heard my story he was LIVID and said that he knew all too well the types of people out there who preyed upon people

like myself and that he felt a moral obligation to help people like myself who either lacked the knowledge or money (of which I had neither) to fight off predators like my "friend."

Over the next 3-4 years David put in at least 100 hours between meetings and emails and court appearances including our going to bais din (Jewish Court).

My friend who happens to have a full-time attorney working for him who spends all day fighting these types of battles on his behalf continued the onslaught and it required David to not only respond countless times on my behalf without payments from me but he also fought with a ferocity that without doubt should have been reserved for paying clients only and I'm sure it caused him to lose time and money from other potential sources of revenue.

Inevitably, David recommended that I go bankrupt to stave off my friend and once again David spent time and resources with his staff holding my hand and walking me through the entire bankruptcy process until everything was fully discharged.

Now, just when I thought David had saved the day and all was handled, my friend came back again viciously (he claims it was because he was "principled" and wanted to see justice served) and wanted to vacate the discharge of his debt from my bankruptcy and threatened to also try to have me criminally charged for fraud as well.

If I thought David Carlebach had been tough before, it was nothing compared to the efforts that he brought to bear in dealing with my friend and his attorney now. He had back and forths via email and phone that essentially snuffed out all of the fight that my friend claimed he was going to bring. After all was said and done, David essentially told my ex-friend that if it was the "last thing he ever did" it was that he was going to defend me for as long as it took.

I cannot say enough that I have never met anyone in business like David who was obviously very busy and was struggling to keep his own operation profitable, yet nevertheless didn't yield a bit in defending and protecting me and he just kept giving and giving.

When I heard that David pled guilty and then that the Sentencing Guidelines recommend a term in prison I asked if there was anything I could do or say that could convey the tremendous debt I owe to the kindness of David over the few years has helped me out. I'd also like to mention that over the years, I heard other stories of his kindness to others like myself who would have suffered greatly had it not been for the devoted efforts of David Carlebach.

I heard that David will also lose his license to practice law and while I understand why this has to happen, it is truly a loss to people like myself whom David helped over the years for no other reason than to simply defend the underdog and see justice.

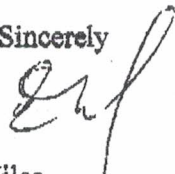
I tried to talk to David about this matter but could plainly see he was very pained and embarrassed by this sad situation.

I know with certainty that any mistake or law broken by David must have hurt him inside and I


am POSITIVE that he would never do anything like it ever again.

I am hoping that your Honor can see in Mr. Carlebach, the David I know, and grant David leniency.

Very Sincerely

A handwritten signature in cursive script, appearing to read 'Eli Miles', written in dark ink.

Eli Miles


Brooklyn, NY 11210